

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ARTHUR LEE GARRISON,

Plaintiff

v.

NEVADA DEPARTMENT OF  
CORRECTIONS,

Defendants

Case No.: 3:18-cv-00389-MMD-WGC

**Order**

Re: ECF No. 71

Before the court is Plaintiff's motion for leave to amend and proposed first amended complaint. (ECF Nos. 71, 71-1.) If Defendants fail to timely file a response to the motion, the motion for leave to amend may be granted under Local Rule 7-2, which states that the failure of an opposing party to file an opposition to a motion constitutes consent to granting the motion. Moreover, if Defendants fail to timely respond to the motion for leave to amend, the court will not look favorably on a future motion to dismiss the amended pleading. In other words, if Defendants wish to argue that Plaintiff's proposed amendment is deficient in some manner, including that amendment would be futile because he fails to state a claim upon which relief may be granted, those arguments should be asserted in response to the motion for leave to amend.

**IT IS SO ORDERED.**

Dated: October 29, 2020



William G. Cobb  
United States Magistrate Judge